

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-330 of 2025

Applicant: Ghulam Muhammad S/o Sain Bux,
Through Mr. Aziz Ahmed Laghari, Advocate.

Respondent: The State.
Through Mr. Ghulam Abbas Dalwani, D.P.G.

Complainant: Mst. Sakina Wd/o Muhammad Usman
In person.

Date of Hearing: 04.12.2025

Date of Order: 04.12.2025

ORDER

Shamsuddin Abbasi, J: Through this Bail Application, the applicant/accused Ghulam Mahammad seeks post-arrest bail in Crime No.33/2021 for offence under sections 302, 365, 337-A(i), 337-F(i), 337-H(ii) and 34 P.P.C of PS Shadi Pali, after dismissal of his bail plea by the learned Additional Sessions Judge-I, Umerkot, vide order dated 30.08.2025.

2. Brief facts of the prosecution case are that applicant alongwith co-accused persons caused sharp sided hatchet blow to deceased Ghulam Mustafa on his head, hence this FIR.

3. Learned counsel for the applicant submits that there is inconsistency between the medical evidence and ocular version; there is delay of 22 hours in lodgment of the F.I.R without any plausible explanation; that there is matrimonial dispute between the parties, therefore, he has been falsely implicated in this case; however, he admits that six PWs have been examined by the trial court and trial is in progress. Lastly, he prayed for grant of bail.

4. On the other hand, learned D.P.G assisted by complainant opposed for grant of bail on the ground that applicant is nominated in the F.I.R with specific role of causing sharp sided hatchet blow on the head of deceased Ghulam Mustafa; that during investigation, hatchet was recovered from his possession; that alleged offence come within the prohibitory clause of section 497 Cr.P.C, therefore, he is not entitled for grant of bail.

5. Heard learned counsel for the applicant, learned D.P.G for the State, complainant Mst. Sakina in person and perused the material available on record.
6. Admittedly, the applicant is nominated in the F.I.R with specific role of causing sharp sided hatchet blow on the head of deceased Ghulam Mustafa and the ocular version corroborated with the medical evidence, the offence comes within the prohibitory clause of section 497 Cr.P.C which carries capital punishment. Sufficient material is available on record which connect the applicant with the commission alleged offence.
7. In view of the above, learned counsel for the applicant/accused has failed to make out a case warranting the grant of bail. Accordingly, the bail application filed on behalf of the applicant/accused is **dismissed**. However, trial court is directed to expedite the matter and conclude the same preferably within 03 months and submit such compliance report through Additional Registrar of this Court.
8. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

JUDGE

Faisal